

#7/Election/
And a
36
44-0B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stearns Art Unit: 3764
Serial No: 09/981,315 Examiner: Crow
Filed: October 16, 2001
Title: EXERCISE METHODS AND APPARATUS

Certificate of Mailing

I hereby certify that this AMENDMENT AND RESPONSE is being sent via facsimile number (703) 872-9302 to the Assistant Commissioner for Patents, Box Non-Fee Amendment, Washington, D.C. 20231, on this 7th day of April, 2003.

Mark A. Krull
Mark A. Krull

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
Box Non-Fee Amendment
Washington, D.C. 20231

Dear Sir:

Introduction

This Amendment and Response is being submitted in reply to the Office Action dated March 7, 2003.

In the Claims

Please cancel claims 3-6 without prejudice.

Please add claims 7-10 as appended hereto.


Remarks

In the subject Action, the Examiner required Applicant to elect one of two enumerated inventions. Applicant hereby elects the first enumerated invention (claims 1-2 drawn to an exercise apparatus). Applicant has requested that claims 3-6 (drawn to a

method of exercise) be cancelled without prejudice, and that claims 7-10 be added to recite the elected exercise apparatus in alternative terms.

Applicant requests consideration and allowance of claims 1-2 and 7-10. In the event that additional issues arise during examination of this application, the Examiner is always welcome to contact Applicant's undersigned representative to discuss such issues over the telephone.

Respectfully submitted,



Mark A. Krull
Reg. No. 34,205

P. O. Box 7198
Bend, OR 97708

(541) 385-0383